

**CHARGES AND SPECIFICATIONS**

PD468-121 (Rev.1-02)-Pent

January 15, 2016

Command	Serial No.	I.A.B. Log No.	I.A.B. Member Notified	Department Advocate's Office Serial Number
079 PCT / 079	CCRB No. 201506288	2016-02047	Lt. Francione	2015-14926

TO THE POLICE COMMISSIONER:

	Rank-Title	Surname	First Name	MI	Shield No.	Tax Reg. No.
I hereby CHARGE	POM	Danese	Richard	D	12075	934715
Squad or Chart No	Command				Date Entered Dept.	
	079 PCT / 079				7/1/2004	

with VIOLATION OF DEPARTMENT REGULATIONS**SPECIFICATIONS**

in that:

1. Said Police Officer Richard Danese, on or about July 28, 2015, at approximately 2225 hours, while assigned to the 079 PCT and on duty, in the vicinity of § 87(2)(b), Kings County, abused his authority as a member of the New York City Police Department, in that he threatened § 87(2)(b) with the use of force without sufficient legal authority.

203-10, Page 1, Paragraph 5 - Public Contact - Prohibited Conduct

2. Said Police Officer Richard Danese, on or about July 28, 2015, at approximately 2225 hours, while assigned to the 079 PCT and on duty, in the vicinity of § 87(2)(b), Kings County, abused his authority as a member of the New York City Police Department, in that he threatened § 87(2)(b) with the use of force without sufficient legal authority.

203-10, Page 1, Paragraph 5 - Public Contact - Prohibited Conduct

3. Said Police Officer Richard Danese, on or about July 28, 2015, at approximately 2225 hours, while assigned to the 079 PCT and on duty, in the vicinity of § 87(2)(b), Kings County, abused his authority as a member of the New York City Police Department, in that he threatened § 87(2)(b) with the use of force without sufficient legal authority.

203-10, Page 1, Paragraph 5 - Public Contact - Prohibited Conduct

4. Said Police Officer Richard Danese, on or about July 28, 2015, at approximately 2225 hours, while assigned to 079 PCT and on duty, in the vicinity of § 87(2)(b), Kings County, used excessive force again § 87(2)(b) in that he grabbed § 87(2)(b) by the neck without police necessity.

203-11 - Use of Force

5. Said Police Officer Richard Danese, on or about July 28, 2015, at approximately 2225 hours, while assigned to the 079 PCT and on duty, en route to 79th Precinct stationhouse, Kings County, used excessive force against § 87(2)(b), in that he placed his knee against § 87(2)(b)' back without police necessity.

203-11 - Use of Force

6. Said Police Officer Richard Danese, on or about July 28, 2015, at approximately 2225 hours, while assigned to the 079 PCT and on duty, en route to 79th Precinct stationhouse, Kings County, used excessive force against § 87(2)(b), in that he punched § 87(2)(b) in the face without police necessity.

203-11 - Use of Force

7. Said Police Officer Richard Danese, on or about July 28, 2015, at approximately 2225 hours, while assigned to the 079 PCT and on duty, en route to 79th Precinct stationhouse, Kings County, used excessive force against § 87(2)(b), in that he punched § 87(2)(b) about the body, without police necessity.

203-11 - Use of Force

8. Said Police Officer Richard Danese, on or about July 28, 2015, at approximately 2225 hours, while assigned to the 079 PCT and on duty, in the vicinity of § 87(2)(b), Kings County, used excessive force, in that he struck § 87(2)(b) with a blunt instrument without police necessity.


203-11 - Use of Force

9. Said Police Officer Richard Danese, on or about July 28, 2015, at approximately 2225 hours, while assigned to the 079 PCT and on duty, in the vicinity of § 87(2)(b), Kings County, placed § 87(2)(b) into a chokehold.

203-11 - Use of Force

10. Said Police Officer Richard Danese, on or about July 28, 2015, at approximately 2225 hours, while assigned to the 079 PCT and on duty, in the vicinity of § 87(2)(b), Kings County, obstructed the breathing of § 87(2)(b).

203-11 - Use of Force



Jonathan Darche
Chief Prosecutor
New York City Civilian Complaint Review Board



Date

1st ENDORSEMENT

Executive Director Mina Malik of the Civilian Complaint Review Board to the Police Commissioner, January 15, 2016. I concur with the issuance of charges and specifications.



Mina Malik
Executive Director
New York City Civilian Complaint Review Board

INSTRUCTIONS FOR SERVICE OF CHARGES AND SPECIFICATIONS

1. Respondent will sign and complete where appropriate:
 - a. original charges and specifications
 - b. vacation and military leave form
 - c. two (2) copies of instructions and receipt of charges and specifications
 - d. agreement to accept service of notice form (when requested in suspension cases only).
2. Respondent will receive:
 - a. one (1) copy of charges and specifications
 - b. one (1) copy of instructions and receipt of charges and specifications form

ACKNOWLEDGEMENT OF SERVICE

I acknowledge due personal service on me of the within Charges and Specifications and notice of Hearing, this

_____ day of _____, 20_____ at _____ AM/PM.

WITNESS

RESPONDENT

(Rank/Title)

(Signature)

(Rank/Title)

(Signature)

DATESTAMP

D.A.O.

(Out)

CMD PREFER C&S

(In)

(Out)

HIGHER COMMAND

(In)

(Out)

D.A.O.

(In)